

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MINNESOTA

<p>Obermiller Nelson Engineering, Inc., a North Dakota corporation,</p> <p style="text-align: right;">Petitioner,</p> <p>vs.</p> <p>River Towers Association, a Minnesota Nonprofit corporation, and Langston Pearson Enterprises, Inc. d/b/a Hayes Automation, a Minnesota Corporation</p> <p style="text-align: right;">Respondents.</p>	<p>Court File No.: 21-cv-463 (JRT/TNL)</p> <p style="text-align: center;"><b>DECLARATION OF SHAMUS P. O’MEARA</b></p>
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STATE OF MINNESOTA            )  
  )  
COUNTY OF RAMSEY            )

1. I am an attorney with O’Meara, Leer, Wagner & Kohl, P.A., the law firm retained to represent Petitioner Obermiller Nelson Engineering, Inc. (“ONE”) in the above-captioned action. I make this Declaration in support of ONE’s Motion to Dismiss or Stay the Demand for Arbitration.
2. Attached hereto as Exhibit 1 is a true and correct copy of the Questions & Solutions Engineering, Inc. Report of November 5, 2020, which was expressly incorporated into the Demand for Arbitration. *See* Demand (Doc. 1-1), at ECF p. 6, ¶12.
3. Attached hereto as Exhibit 2 is a true and correct copy of Obermiller Nelson Engineering, Inc.’s: (1) Objection to Demand for Arbitration and Crossclaim; (2) Answering Statement; (3) Answer to Hayes Crossclaim; (4) Crossclaim against Hayes.

4. Attached hereto as Exhibit 3 is a true and correct copy of Obermiller Nelson Engineering, Inc.'s Request for Joinder of: (1) Questions & Solutions Engineering, Inc., (2) FirstService Residential Minnesota, Inc. dba FirstService Residential, (3) Kraft Contracting LLC dba Kraft Mechanical LLC and Kraft Controls, LLC.

I declare, under penalty of perjury, that everything I have stated in this Declaration is true and correct.

Dated: March 5, 2021.

*s/ Shamus P. O'Meara*

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Shamus P. O'Meara